

UNITED STATES FEDERAL DISTRICT COURT

SPRINGFIELD, MASSACHUSETTS

Plaintiff:

David P. Fontaine (Pro Se Litigant)
68 Van Horn Street
West Springfield, Massachusetts 01089

vs.

Civil Action No.

04-30080-MAP

Defendants:

United States (U.S.) Government;
U.S. Internal Revenue Service (IRS) and the IRS Office of the Commissioner;
IRS employees – Sheila O'Brien, Lynn Walsh, Jane B. Finnegan, Larry Leder, and Dennis Parizek

Connecticut State (Conn.) Government
Conn. Dept. of Revenue Services (CDORS) and the CDORS Office of the Commissioner
Governor John Rowland and Commissioner Gene Gavin

Massachusetts State (Mass.) Government
Mass. Departments of Revenue (MDOR) and the MDOR Office of the Commissioner

MOTION FOR URGENT TEMPORARY INJUNCTION

The Plaintiff has charged the Defendants have fraudulently altered the Plaintiff's Sovereign status, fraudulently assessed "Income Taxes", and commenced fraudulently based lien and levy actions against Plaintiff's property. The Plaintiff's property and credit integrity are under attack. The Plaintiff is continually threatened with penalties, tax warrants, levies, liens, and wage attachments without due process. Threats abound to initiate more. The Plaintiff's Property has been taken without legal justification and without an impartial trial, depriving the Plaintiff of "Due Process", and circumventing his Constitutional Rights (Amendments I, IV, V, VI, VII, VIII, and XIII). The Defendants, by force are extracting more property and expanding their scope of Fraud and Extortion (reference Complaint pages 32-34) by commencing similar actions for "tax year 1999" and "tax year 2001".

The IRS' liens and levies are upon the Plaintiff's primary place of residence, which also supports his employment. Should these unjustified actions be allowed to continue, not only will he and his family become homeless, but his ability to earn income will also be shut down. He will no longer be able to pay anything, as the space and tools he needs to earn his income are in jeopardy.

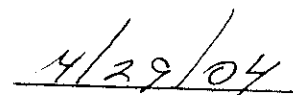
The Defendants' actions and threats continue to oppress the Plaintiff's Rights to Liberty and Pursuit of Happiness. The Plaintiff's Freedom continues to suffer. The Defendants' unjustified activities escalate with time, and weigh heavily on Plaintiff's existence. The financial and emotional strain and probability of increased, unjustified loss of the Plaintiff's property are high. In May 2000, the Plaintiff's wife was diagnosed with Breast Cancer. Since then, she has had chemotherapy, radiation, and seven surgeries. Their private health insurance is expensive. The Plaintiff is financially struggling due to the Defendants' actions, which are seriously impacting his time and ability to earn

a living. The IRS' recent levy action has put extreme stress on the Plaintiff's ability to meet his financial obligations and provide for his family. The Plaintiff cannot afford to pay the alleged extortion amounts or the costs of professional help and fees with this Case. The Plaintiff and his family have been subjected to enormous stress, and are in continual fear that more of their property and liberty are stolen without "due process". Their health is at stake. The Plaintiff seeks security for his family, all property, their credit integrity, and themselves.

Time is of the essence. The Plaintiff requests an immediate temporary injunction reversing levy and lien actions already taken and prohibiting any further action by the Defendants, or any agent on behalf of these Government agencies, until the Plaintiff has had an opportunity to dispute this matter in an impartial Court.



David P. Fontaine – Plaintiff Pro Se
Under Threat, Duress, and/or Coercion



Date